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IN THE THIRD DISTRICT COURT, SALT LAKE DEPARTMENT
SALT LAKE COUNTY, STATE OF UTAH

STATE OF UTAH, Plaintiff, v. DANIEL L. CARTER DOB:6-22-71 Defendant.	AMENDED INFORMATION Criminal No. 041905901 Judge Leslie Lewis
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The undersigned Cathy Lynch, under oath states on information and belief that the defendant committed the crime(s) of:

COUNT 1

TAX EVASION - FILING A FALSE OR FRAUDULENT RETURN OR STATEMENT, a Third Degree Felony, in Salt Lake County, State of Utah, on, about or before April 15, 2001 April 2002, April 2003 or April 2004, in violation of Title 76, Chapter 8, Section 1101(1)(c), Utah Code, in that DANIEL L. CARTER with an intent to evade any tax or requirement of Title 59 or any lawful requirement of the State Tax Commission, failed to make, render sign, or verify any return or to supply any information within the time required under this title, or did make, render, sign, verify any false or fraudulent return or statement, or supplied false or fraudulent information; to wit, for tax years 2000, 2001, 2002 or 2003.

COUNT 2

TAX EVASION - INTENT TO EVADE, a Second Degree Felony, in Salt Lake County, State of Utah, on or before April 15, 2001, April 15, 2002, April 15, 2003 or April

15, 2004 in violation of Title 76, Chapter 8, Section 1101(1)(d), Utah Code, in that DANIEL L. CARTER intentionally or willfully attempted to evade or defeat a tax or the payment thereof due on his income earned in 2000, 2001, 2002 or 2003.

PROBABLE CAUSE STATEMENT:

Affiant bases this Information upon the following:

1. I have reviewed information in this file and investigated allegations of failure to file tax returns and willful evasion of taxes against the above cited defendant, DANIEL L. CARTER.

2. During the period of allegation, the defendant failed to file tax returns and failed to pay any taxes during that period, notwithstanding the fact that the defendant was employed in Utah and was residing in Utah both during the period in question and outside that time.

3. The defendant received income from his employment and/or businesses, including but not necessarily limited to employment with OMG Americas, Inc., Labor Ready Southwest, Inc., Webster's Countertops, Inc., Berry's Manufacturing of Utah, Inc., and/or Kelly Services, Inc., which the defendant failed to reveal by way of the filing of truthful tax returns.

4. The defendant appears to have intentionally or willfully attempted to avoid his obligations by filing bogus and/or illegitimate documents with his employer(s) and/or the State Tax Commission.

5. The Utah State Tax Commission has reviewed this defendant's file and determined that the defendant earned income of at or around in excess of \$12,000.00 to in excess of \$40,000.00 in each of the filing years.

6. The defendant has failed to properly file and/or remit legitimate returns during years 2000 through 2003, inclusive, as he was required so to do and failed to pay or remit (evaded) taxes due and owing for that same time period.

THIS INFORMATION IS BASED ON EVIDENCE OBTAINED FROM THE FOLLOWING WITNESSES:

1. Cathy Lynch, Utah State Tax Commission (USTC), Special Agent;
2. Dorothy Akins, USTC, Special Agent;
3. Dolores Furniss, USTC, Custodian of Records;
4. Audit, USTC;
5. OMG Americas, Keeper of Records;
6. Merrill Lynch, Keeper of Records;
7. Labor Ready Southwest, Inc., Keeper of Records;
8. Webster's Countertops, Inc., Keeper of Records;

9. Berry's Manufacturing, Keeper of Records;
10. Kelly Services, Inc., Keeper of Records.

Cathy Lynch, Affiant

Subscribed and Sworn to before me this day of _____, 2005.

JUDGE / MAGISTRATE

Authorized for presentment and filing:
MARK SHURTLEFF, Attorney General

MARK W. BAER
Assistant Attorney General